

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KIQUON WEST.,

Plaintiff,

v.

WELLS FARGO AUTO,

Defendant.

CIVIL ACTION

NO. 22-4405-KSM

ORDER

AND NOW, this 17th day of January, 2023, upon consideration of Defendant's Motion to Dismiss for Failure to State a Claim (Doc. No. 5), Plaintiff's opposition (Doc. No. 7), Defendant's reply (Doc. No. 8), and Plaintiff's sur-reply (Doc. No. 9), and for the reasons stated in the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED**. It is further **ORDERED** that Plaintiff's TILA claim is **DISMISSED with prejudice** to the extent it is based on the right of rescission, and the remainder of Plaintiff's Complaint **DISMISSED without prejudice**.

IT IS SO ORDERED.

/s/ Karen Spencer Marston

KAREN SPENCER MARSTON, J.